

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

REX CHAPPELL,

Plaintiff,

No. CIV S-04-1183 LKK DAD P

vs.

C.K. PLILER, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

By order filed February 21, 2008, this court directed plaintiff to file, within thirty days, a status report. On April 18, 2008, plaintiff was granted an additional thirty days to comply with the court's order. The time period has now expired and plaintiff has not filed a status report or otherwise responded to the court's order. Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 11-110.

These findings and recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty days after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections

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1 within the specified time may waive the right to appeal the District Court's order. Martinez v.  
2 Ylst, 951 F.2d 1153 (9th Cir. 1991).

3 DATED: June 6, 2008.

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6 DALE A. DROZD  
7 UNITED STATES MAGISTRATE JUDGE

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